



# HUMANE SOCIETY INTERNATIONAL

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29 April, 2016

Dear Mr Hansen and Committee Members,

**Re: Submission to Queensland Agriculture and Environment Committee on the *Vegetation Management (Reinstatement) and Other Legislation Amendment Bill 2016***

Humane Society International (HSI) writes today on behalf of our 65,000 Australian supporters in support of the Queensland *Vegetation Management (Reinstatement) and Other Legislation Amendment Bill 2016* (hereafter referred to as 'the Bill'), which we believe is an urgent and necessary response to the passing of the *Vegetation Management Framework Amendment Bill 2013* by the former Newman Government. In 2013 HSI wrote to former Queensland Premier Campbell Newman to highlight significant concerns with his Government's Amendment Bill, and it has since become apparent that these fears were more than valid and that rectification is required.

The *Vegetation Management Framework Amendment Bill* placed large areas of native vegetation at risk from unrestrained and unsustainable clearing, severely reduced the integrity of important environment protections, and inevitably led to ongoing destruction and fragmentation of habitat. It significantly weakened vegetation protection in all areas of Queensland and as a result more than 300,000 hectares of native vegetation has been lost throughout the state since its implementation.

Preserving native forests and woodlands has been shown to be the most effective form of mitigating atmospheric carbon levels, with deforestation and forest degradation being responsible for a massive 18-25% of annual global carbon emissions. Broad-scale land clearing releases carbon stored in both vegetation and soil, a process which is occurring largely unchecked in Queensland at present. Native vegetation additionally provides essential environmental, social and economic benefits, including the protection of water quality, maintenance of soil health and provision of wildlife habitat. Accordingly, HSI particularly applauds the policy objective of the Bill to 'reinstate a responsible vegetation management framework to more effectively manage vegetation clearing in Queensland thereby reducing clearing rates and consequential carbon emissions.'

Strong state laws that prevent large-scale clearing would additionally safeguard against the loss of at-risk ecosystems and threatened species habitat by ensuring activities that may impact upon Matters of National Environmental Significance are referred under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). The current 'mistake of fact' defence for vegetation clearing offences and lack of reverse onus of proof provisions under the Queensland *Vegetation Management Act 1999* (VM Act) have resulted in dangerous levels of clearing without referral, as evidenced by the destruction of 33,000 hectares at Olive Vale, Cape York in 2014. This included large areas of habitat for the buff-breasted button-quail and many other threatened EPBC Act species, and was permitted by the former Queensland Government.

It is HSI's view that claims by Federal Nationals senator Barry O'Sullivan that Commonwealth Department of Environment compliance actions in response to such instances of clearing are bureaucratic overlap were misguided. The need for such involvement rather shows how the former Queensland Government's 2013 passing of the *Vegetation Management Framework Amendment Bill* gave the incorrect impression that landholders were free to clear without the required checks and balances to the considerable detriment of State and Commonwealth listed threatened species and ecological communities. Allowing landowners to clear land in such a way puts habitat types at risk, and it is imperative that the opportunity for the Bill to rectify these past regressions is taken.

HSI commends the Queensland Government's move to limit potential 'panic clearing' related to the Bill through a proposed retrospective implementation date of 17 March, 2016, and recognises that the Bill allays many of our concerns regarding vegetation protection in Queensland by removing clearing permits for so-called High Value Agriculture, restoring protections for ecologically important High Value Regrowth and trees in riparian areas, and reinstating the presumption that a landholder is responsible for clearing occurring on their property. However, we believe there is room for improvement to ensure that the VM Act is able to achieve its purposes of regulating the clearing of vegetation in a way that: conserves remnant vegetation; does not cause land degradation; prevents the loss of biodiversity; and reduces greenhouse gas emissions. For example, the Bill should be amended to remove the ability for landholders to use self-assessable codes for vegetation removal or thinning, and replace purpose testing with ecological impact tests.

Australia has one of the worst mammalian species extinction rates in the world and broad-scale land clearing is a key cause of both past and ongoing decline. Robust legislation is the first line of defence in safeguarding remnant vegetation relied on by native fauna, and to protect ecosystems and their significant economic benefits HSI urges the Parliament of Queensland to strengthen and pass this Bill. We eagerly await increased protection for Queensland's species and their habitats.

Yours sincerely,



Evan Quartermain  
Senior Program Manager